

Applicant: MUSSMANN *et al.*  
Appl. Ser. No.: 09/931,162  
Filing Date: August 17, 2001  
Amendment and Reply to Final Office Action  
October 19, 2004  
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### REMARKS

Claims 1-25 are pending. Claims 19-25 have been allowed. Claims 1-18 have been rejected. Applicants herein cancel claims 1-18 without prejudice to filing a continuation application for the subject matter of claims 1-18, in order to place the application in condition for allowance. Applicants respectfully request entry of the amendment canceling the rejected claims. Applicants submit that the application is now in condition for allowance.

#### Rejections Under 35 U.S.C. § 10-2(b) and 103(a)

The Examiner rejected claims 1-5, 11, 12 and 15-18 as allegedly anticipated by, or in the alternative obvious in light of, EP 0 778 071 A1 (Suda); claims 6-10 and 13 as allegedly obvious in light of Suda and WO 99/26715 as translated by U.S. Patent No. 6,475,452 B1 (Hedouin); claim 14 as allegedly obvious in light of Suda and U.S. Patent No. 6,133,194 (Cuif); and the Examiner asserted that claims 1-5, 11, 12, and 15-18 are product-by-process claims and are unpatentable over the cited references.

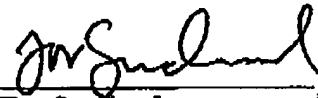
Applicants respectfully disagree with the Examiner and assert that the rejected claims are neither anticipated by, nor rendered obvious in light of, the cited references, and that the claims are patentable over the cited references. Nevertheless, Applicants have canceled claims 1-18 in order to expedite allowance, without prejudice to filing one or more continuation applications based on the rejected claims. Applicants submit that cancellation of claims 1-18 moots the Examiner's rejections. Applicants submit that cancellation of claims 1-18 places the application in condition for allowance.

No fee is believed to be due with respect to the filing of this amendment other than the enclosed fee for a three-month extension of time. If any fees are deemed due, or an overpayment has been made, please charge, or credit, our Deposit Account No. 11-0171 for such sum.

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If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicant's attorney at the telephone number provided below.

Respectfully submitted,



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